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CLERK OF THE SUPREME COUR

STATE OF MONTANA

Pamela Snyder-Varns
Special Assistant Attorney General
Risk Management & Tort Defense Division
1625 11th Ave., Middle Floor
Helena, MT 59601
(406) 444-1816
(406)444-2592 fax
psnyder-varns@mt.gov

FILED

AUG 1 7 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA Supreme Court No. DA 10-0342

RICHARD KERSHAW,)
Plaintiff,)
v.) UNOPPOSED MOTION TO) SUBSTITUTE MEDIATOR
MONTANA DEPARTMENT OF)
TRANSPORTATION, and JOHN)
DOES 1-X,)
)
Defendants.)

Defendant Montana Department of Transportation moves the Court to substitute Mike Anderson of Billings as mediator in place of Dolphy Pohlman to conduct the mediation process required by M.R.App. P. 7(5). The undersigned has been authorized to advise the Court that counsel for plaintiff Richard Kershaw has no objection to this Motion.

DATED this 17 day of August, 2010.

RISK MANAGEMENT & TORT DEFENSE DIVISION

PAMELA SNYDER-VARNS 1625 11th Ave., Middle Floor Helena, MT 59601

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 17 day of August, 2010, I have mailed a true and accurate copy of the foregoing Unopposed Motion to Substitute Mediator herein, by U.S. mail, first-class postage prepaid, to the following:

Daniel G. Gillispie Gillispie Law Office 1925 Grand Ave., Suite 121A Billings, MT 59102 Michael B. Anderson P.O. Box 3253 Billings, MT 59103-3253

Dolphy O. Pohlman 125 West Park St., Suite 301 Butte, MT 59701